

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, March 24, 2011 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF FEBRUARY 24, 2011, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 11-102-646 Eugene Sitzmann**
Rezoning from RM2 Medium-Density Multiple-Family Residential
to TN1 Traditional Neighborhood
45 Syndicate St S, NW corner at Grand
RM2
Sarah Zorn 651-266-6570

- 2 11-103-938 Robert Casselman**
Re-Establishment of nonconforming use as a duplex
838 Goodrich Ave, between Avon and Victoria
R4
Kate Reilly 651-266-6618

- 3 11-103-193 Red Dog Holdings LLC**
Conditional Use Permits for a pawn shop, two fast food restaurants
with drive-thru service, and an auto specialty store
1891 Suburban Ave, NW corner at Burns
B3
Penelope Simison 651-266-6554

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Eugene Sitzmann
 2. **APPLICANT:** Eugene Sitzmann
 3. **TYPE OF APPLICATION:** Rezoning - Consent
 4. **LOCATION:** 45 Syndicate St S, NW corner at Grand
 5. **PIN & LEGAL DESCRIPTION:** 032823420013; Stinsons Boulevard Ex N 98 Ft The Fol E 20 Ft Of Lot 28 And Lots 29 And Lot 30 Blk 2
 6. **PLANNING DISTRICT:** 14
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** March 10, 2011
 9. **DATE RECEIVED:** February 24, 2011
- FILE #:** 11-102-646
HEARING DATE: March 24, 2011
EXISTING ZONING: RM2
BY: Sarah Zorn
60-DAY DEADLINE FOR ACTION: April 25, 2011

-
- A. **PURPOSE:** Rezoning from RM2 Medium-Density Multiple-Family Residential to TN1 Traditional Neighborhood
 - B. **PARCEL SIZE:** 52 ft. (Syndicate) x 100 ft. (Grand) = 5,200 sq. ft.
 - C. **EXISTING LAND USE:** Office
 - D. **SURROUNDING LAND USE:**
North: Multifamily residential (RM2) and Office Service (OS)
East: Community business (B2)
South Multifamily residential (RM2)
West: Multifamily residential (RM2)
 - E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
 - F. **HISTORY/DISCUSSION:** A 2007 Certificate of Occupancy indicates that the property was used as a one unit rental property. It is unclear as to when the office use began occupying the space.
 - G. **DISTRICT COUNCIL RECOMMENDATION:** District 14 had not commented at the time this report was prepared.
 - H. **FINDINGS:**
 1. The property owner has been leasing the building to a psychology practice, which is not a permitted use in the RM2 zone. The applicant has applied to rezone the property from RM2 to TN1. The applicant has been in contact with the Department of Safety and Inspections and understands that there are building code issues associated with commercial use of this property that need to be resolved.
 2. The existing RM2 zoning does not permit office uses. The proposed zoning (TN1) is consistent with the way the area has developed. While immediately adjacent properties are single and multifamily dwellings, there are several commercial properties just east of Syndicate and on three of the four corners at Grand and Hamline to the west.
 3. The proposed zoning is consistent with the Comprehensive Plan. The Land Use Chapter identifies Grand Avenue as a mixed-use corridor and supports a mix of uses (Objective 1.24). The District 14 plan recommends encouraging the preservation and restoration of housing stock and commercial properties that are compatible with the character of the neighborhood (#35, p.3).
 4. The proposed traditional neighborhood zoning is compatible with surrounding single and multifamily uses, and nearby office and commercial uses. The TN1 zone permits

uses that are compatible with both low-density residential and commercial areas, and would permit a future conversion to a purely residential use at this location.

5. Rezoning the property to TN1 would not be considered spot zoning because it does not establish a use classification that is inconsistent with surrounding uses. Grand Avenue has an eclectic mixture of housing, retail and commercial uses; the proposed rezoning is consistent with the way that Grand Ave has developed in this area.
6. The petition for rezoning was found to be sufficient on February 22, 2011: 28 parcels eligible; 19 parcels required; 19 parcels signed.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning of 45 S. Syndicate from RM2 Medium-Density Multiple-Family Residential to TN1 Traditional Neighborhood.



PETITION TO AMEND THE ZONING CODE

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Zoning office use only

File # 11-102646

Fee \$1000.00

Petition Hearing Date To BE scheduled

DD:14
16

* 032823420013

APPLICANT

Property Owner Eugene Sitzmann

Address 1280 Grand Ave Suite 105

City Saint Paul St. MN Zip 55105 Daytime Phone (651) 699-3003

Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address / Location 45 South Syndicate Street

Legal Description _____

Current Zoning RM2

(attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes, Eugene Sitzmann, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a RM2 zoning district to a TN1 zoning district, for the purpose of:

RECEIVED

JAN 12 2011

Per _____

(attach additional sheets if necessary)

Attachments as required: ☐ Site Plan

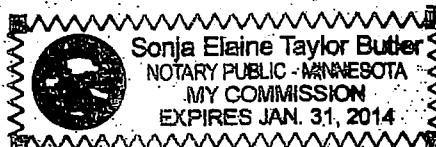
☒ Consent Petition

☒ Affidavit

Subscribed and sworn to before me
this 12th day
of January, 2011.

By: Eugene Sitzmann
Fee Owner of Property

Title: _____



Notary Public

Office Copy

**Grand Heritage Properties, LLC
1280 Grand Avenue
Suite #105
Saint Paul, MN 55105
651-699-3003**

January 7, 2010

Mr. Paul Dubruiel
Department of Planning & Economic Development
PED Zoning/Planning Administrator
25 West Fourth Street
Saint Paul, Minnesota 55102

RE: 45 South Syndicate Street
SUBJECT: Rezoning

Dear Mr. Dubruiel,

Enclosed find herewith the necessary additional signatures of property owners to complete our application for rezoning of 45 South syndicate Street property.

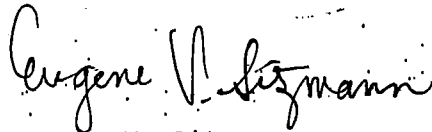
Secondly, we have also enclosed a copy from your office the accepted signatures, dated December 15, 2009.

Kindly contact me at 651/ 699-3003 if you have any additional questions.

Your prompt attention in this matter shall be highly appreciated.

Thank you.

Cordially,



Eugene V. Sitzmann

cc: Yaya Diatta, Inspector
Dr. Jill LeBlond, Tenant

September 20, 2010

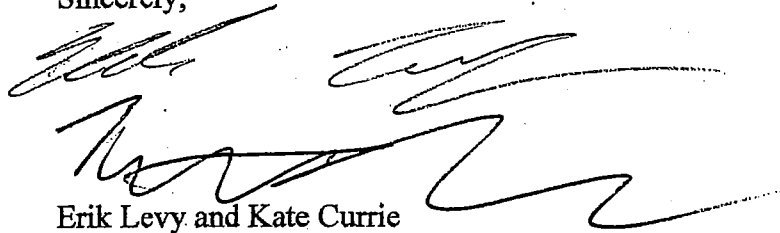
Dear Office Staff,

We have attempted several times to gather signatures for your petition as requested. Unfortunately, each time we have been unable to catch any of our neighbors at home to sign the sheets. This is probably due to the fact that our work and school schedules only permit us to attempt to do this work during the time of day that these folks are not home. We usually do the majority of our caretaking work late at night, which would be an inappropriate time to bother our neighbors and request that they sign a petition.

We are returning the forms to you so that our schedules do not prevent you from accomplishing your goals with this task any longer. Hopefully you can find another person or two who are able to help at a more realistic hour of the day than we are.

Thank you for your understanding.

Sincerely,

The block contains two handwritten signatures. The first signature is on the left, and the second is on the right. Both are written in black ink and appear to be cursive or semi-cursive. The first signature is shorter and more compact, while the second is longer and more flowing, extending further to the right.


Erik Levy and Kate Currie
1280 #102



THPA

Architects and Planners

460—5th Avenue North, Suite #232
Hopkins, MN 55343



November 1, 2010

Julie Rodgers
1305 Lincoln Ave.
St. Paul, MN 55105-2714

Dear Ms. Rodgers;

I am writing this letter to you because my firm has been retained by Grand Heritage Properties to assist them in rezoning their property at 45 South Syndicate. The property is currently zoned as RM2; a residential zoning. They would like to change the zoning of the property to a TN1; a business zoning. As you maybe aware of, the two similar adjacent structures that lay just to the north of 45 South Syndicate have already been rezoned to TN1 some time ago by their respective property owners.

In the past Grand Heritage Properties has rented the property to groups of college students which has proven to be less than ideal for the neighborhood. My client would like to rent the property to a Psychology practice. The City of St. Paul's rezoning process requires our client to pole each property owner within a certain radius of the subject property to see if they consent or disagree with the rezoning request! In that regard we have enclosed a self addressed stamped envelope for you to return this letter with your signature in the approval or decent line! Thank you for your time and consideration in this matter!

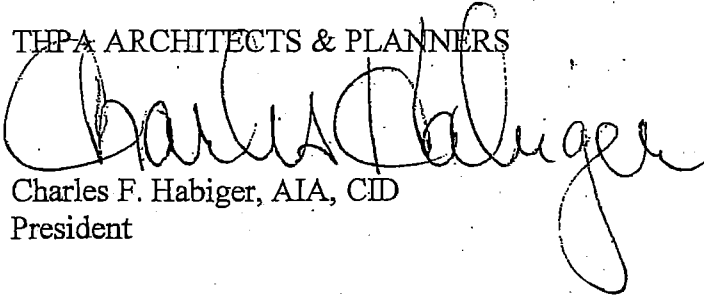
APPROVE:

Julie Rodgers (nee Rodgers)

DISAPPROVE: _____

Sincerely yours:

THPA ARCHITECTS & PLANNERS


Charles F. Habiger, AIA, CID
President

CITY OF SAINT PAUL

RECEIVED

NOV 16 2009

CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

We, the undersigned, owners of property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of Eugene V. Sitzmann
(name of petitioner)

to rezone the property located at 45 South Syndicate

from a Rm 2 zoning district to a TN 1 zoning district; and

2. A copy of sections _____ through _____ inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a _____ zoning district, and we are aware that any of these uses can be established upon City Council approval of the Rezoning. We hereby consent to the rezoning of the property in the petition of

Eugene V. Sitzmann

(name of petitioner)

to a TN 1 zoning district.

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1293 Grand Ave	Eugene V. Sitzmann	Eugene V. Sitzmann	8-3-09
1299 Grand Ave	Eugene V. Sitzmann	Eugene V. Sitzmann	8-3-09
1305 Grand Ave	Eugene V. Sitzmann	Eugene V. Sitzmann	8-03-09
1280 Grand Ave	Eugene V. Sitzmann	Eugene V. Sitzmann	8-03-09
1290 Grand Ave	Eugene V. Sitzmann	Eugene V. Sitzmann	8-03-09
1294 Grand Ave	Eugene V. Sitzmann	Eugene V. Sitzmann	8-03-09
1283 Lincoln Ave	Gary A. Huffman	(see attached) Pg 1	
1285 Lincoln Ave	Keely M. Dunham	(see attached) Pg 4	
wrong address 1291 Lincoln Ave	P.J. Hallinan Jr. Marlene Hallinan		7/31/09
1295 Lincoln Ave			

This petition shall not be considered as officially filed until the lapse of seven (7) working days after it is received by the Planning Division. Any signator of this petition may withdraw his/her name therefrom by written request within that time.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A
REZONINGRECEIVED
JUN 22 2008

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of EUGENE V. SITZMAN
(name of petitioner)
to rezone the property located at 45 South Lyndicote
from a RM2 zoning district to a TN1 zoning district.
2. A copy of sections _____ through _____, inclusive of the Saint Paul Zoning Code; and acknowledge that we are aware of all of the uses permitted in a _____ zoning district and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of:
EUGENE V. SITZMAN to a TN1 zoning district.
(Name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR P.I.N. #	RECORD OWNER	SIGNATURE	DATE
39 So. Lyndicote	JSK. Rental Partnership		
33 So. Lyndicote	JSK. Land Partnership		
1300 Summit Ave	Mount Zion Hebrew Temple	Jane Herman	6/19/09
1276 Grand Ave	Greg. Potter		
1274 Grand Ave	1274 LLC		
1262 Grand Ave	A.D.A.		
1272 Grand Ave	1272 LLC		

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We, the undersigned, owners of property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of Eugene U. Sitzmann
(name of petitioner)
to rezone the property located at 45 South Syndicate
from a Rm 2 zoning district to a TN1 zoning district; and
2. A copy of sections _____ through _____ inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a _____ zoning district, and we are aware that any of these uses can be established upon City Council approval of the Rezoning. We hereby consent to the rezoning of the property in the petition of

Eugene U. Sitzmann to a TN1 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1280 Grand Ave			
1290 Grand Ave			
1293 Grand Ave			
1294 Grand Ave			
1299 Grand Ave			
1305 Grand Ave			
⑦ 89 Syndicate St. S. Kowalski Market ⑩	JSK Limited Partner	<u>K. Kowalski-Chrestian</u>	
⑧ 1300 Summit Ave.	Mt. Zion Hebrew Cong.	<u>Paula H. H.</u>	<u>8/4/09</u>
⑨ 33 Syndicate St. S.	JSK Limited Partner	<u>K. Kowalski-Chrestian</u>	
Grand Avenue			

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2. A copy of sections _____ through _____ inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a _____ zoning district, and we are aware that any of these uses can be established upon City Council approval of the Rezoning. We hereby consent to the rezoning of the property in the petition of

Eugene V. Sitzmann to a TN1 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1283 Lincoln Ave.	Gary A. Huffman	Wendy Huffman	8/3/09
1285 Lincoln Ave.	Keely M. Durham	Keely Durham	8/3/09
1291 Lincoln Ave.	Dale T. Loomer Susan J. W. Loomer	Dale T. Loomer	8-3-09
1295 Lincoln Ave.	P.J. Hallinan Jr. Marlene Hallinan		(See attached) Thank you
1299 Lincoln Ave.	Neil R. Palosaari Regina P. Palosaari	Neil Palosaari	8.2.09
1303 Lincoln Ave.	Elizabeth A. Kroeger William A. Kroeger	Elizabeth Kroeger	7/31/09
1305 Lincoln Ave.	Dwight M. Rueter Julie K. Rodgers	Dwight M. Rueter	8/4/09
1279 Lincoln Ave.	Jean Hauvik Robert Hauvik	Jean Hauvik	8.4.09
1296 Grand Ave.	Thomas J. Hauschild Kristina K. Hauschild	Thomas Hauschild	8-3-09
1302 Grand Ave.	Mary F. Taylor	Mary Taylor	7/31/09

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CONSENT OF ADJOINING PROPERTY OWNERS FOR A 2011 REZONING

Per _____

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1. A copy of the petition of Eugene Sitzman
(name of petitioner)
to rezone the property located at 45 S. Syndicate
from a RM2 zoning district to a TN1 zoning district and
2. A copy of sections 66.312 through 66.343, inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a TN1 zoning district, and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of

Eugene Sitzman to a TN1 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN #	RECORD OWNER	SIGNATURE	DATE
1283 LINCOLN	Dawn Hoffmann	Dawn Hoffmann	2/4/11
1303 LIVEDALE	William Krueger	William Krueger	2/4/11
1314 Grand Ave	Anne Marie Perina	Anne Marie Perina	2/6/11
140 Grand	SARA Kirk Weller	Sara Weller	2/7/11
1245 LINCOLN AVE	KEELY DOWNS	KEELY DOWNS	2/8/11
1304 Grand Ave	Theresa Hill	Theresa Hill	2/9/11
1311 Grand Ave	William Ladd	Neva Ladd	2/10/11

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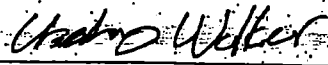

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(name of petitioner)
to rezone the property located at 45 South Syndicate
from a Rm 2 zoning district to a TN 1 zoning district; and
2. A copy of sections _____ through _____ inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a _____ zoning district, and we are aware that any of these uses can be established upon City Council approval of the Rezoning. We hereby consent to the rezoning of the property in the petition of

Eugene U. Sitzmann to a TN 1 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
③ 1304 Grand Ave.	Charles Walker		8/3/09
1310 Grand Ave	Arlaia Vital	_____	
③ 1314 Grand Ave	Gregory A. Dykes		8/4/09
1311 Grand Avenue	LLC Organization	_____	
1311 Lincoln Avenue		(None) _____	NH
1315 Lincoln Avenue		_____	NH
1319 Lincoln Avenue		_____	NH
1323 Lincoln Avenue		_____	NH
1322 Lincoln Avenue		_____	NH
1318 Lincoln Avenue		_____	NH

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(name of petitioner)

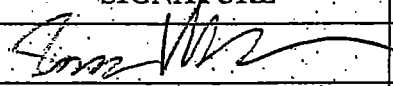
to rezone the property located at 45 S. SYNDICATE
from a RM 2 zoning district to a TN1 zoning district and

2. A copy of sections 66.310 through 66.343, inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a TN1 zoning district, and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of

EUGENE SITZMAN to a TN1 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN #	RECORD OWNER	SIGNATURE	DATE
1296 GRAND AVE	SEAMUS WALSH		6/15

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21 Total
Signatures

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Eugene V. Sitzmann to a TN 1 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

	ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
①	1280 Grand Ave	Eugene V. Sitzmann	(see attached)	
②	1290 Grand Ave	Eugene V. Sitzmann	Pg 2	
③	1293 Grand Ave	Eugene V. Sitzmann		
④	1294 Grand Ave	Eugene V. Sitzmann		
⑤	1299 Grand Ave	Eugene V. Sitzmann		
⑥	1305 Grand Ave	Eugene V. Sitzmann		
⑦	89 Syndicate St. S. Kowalski Market ⑩	JSK Limited Partner	(see attached) Pg 3	
⑧	1300 Summit Ave.	Mt. Zion Hebrew Cong.	<i>[Signature]</i>	8/4/09
⑨	33 Syndicate St. S.	JSK Limited Partner	(see attached) Pg 3	
⑩	1283 Lincoln Ave	Gary A. Huffman	<i>[Signature]</i>	8/5/09

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Eugene V. Sitzmann to a TN1 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

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1285 Lincoln Ave.	Keely M. Dunham	<i>Keely M. Dunham</i>	8/3/09
1291 Lincoln Ave.	Dale T. Loomer Susan J. W. Loomer	<i>Dale T. Loomer</i>	8-3-09
1295 Lincoln Ave.	P.J. Hallinan Jr. Marlene Hallinan		(See attached) Thank you
1299 Lincoln Ave.	Neil R. Palosaari Regina P. Palosaari	<i>Neil R. Palosaari</i>	8.2.09
1303 Lincoln Ave.	Elizabeth A. Kroeger William A. Kroeger	<i>Elizabeth Kroeger</i>	7/31/09
1305 Lincoln Ave.	Dwight M. Ruster Julie K. Rodgers	<i>Dwight M. Ruster</i>	8/4/09
1279 Lincoln Ave.	Jean Haulik Robert Haulik	<i>Jean Haulik</i>	8-4-09
1296 Grand Ave.	Thomas J. Hauschild Kristina K. Hauschild	<i>Thomas J. Hauschild</i>	8-3-09
1302 Grand Ave.	Mary F. Taylor	<i>Mary Taylor</i>	7/31/09

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RECEIVED

Per: _____

9/08

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

RECEIVED

JAN 12 2011

Per _____

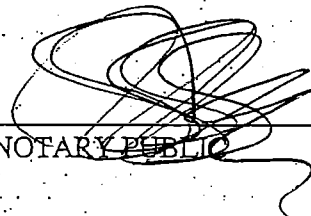
The petitioner, Eugene V. Sitzman, being first duly sworn, deposes and states that the consent petition contains signatures of the owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition and all property contiguous to the subject property that was owned, purchased, or sold by the petitioner within one (1) year preceding the date of the petition; petitioner is informed that the consent petition must contain signatures from each and all owners of jointly-owned property in order to constitute consent from that property and that failure to obtain consent from each and all owners could invalidate the consent petition; petitioner believes that the consent petition was signed by each of said owners and that the signature are the true and correct signatures of each and all of the parties so described.

Eugene V. Sitzman
NAME

1280 Grand Ave #105
ADDRESS

651-698-4616
TELEPHONE NUMBER

Subscribed and sworn to before me this
12th day of January, 2011.



NOTARY PUBLIC



CITY OF SAINT PAUL

AFFIDAVIT OF PERSON CIRCULATING CONSENT PETITION FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

RECEIVED

FEB 11 2011

Per _____

Dennis J. Rosemark, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of _____ pages; that affiant is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name, and that each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition and all properties contiguous to the subject property that was owned, purchased or sold by the petitioner within one (1) year preceding the date of the petition; that the consent petition was signed by each said owner; and the signatures are the true and correct signatures of each and all of the parties so described.

Dennis J. Rosemark
NAME

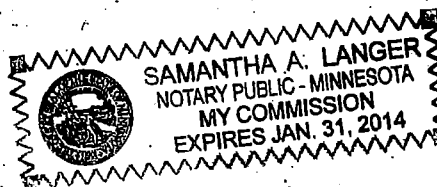
1805 Eleanor Ave.
ADDRESS

651-685-7673
TELEPHONE NUMBER

Subscribed and sworn to before me this

11 day of February, 2011.

Samantha Langer
NOTARY PUBLIC



CITY OF SAINT PAUL

AFFIDAVIT OF PERSON CIRCULATING CONSENT PETITION FOR A REZONING

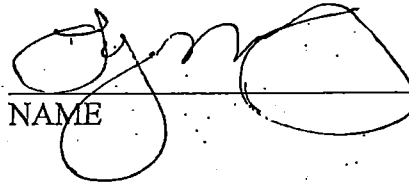
STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

Tyler H. Hadley

Tyler H. Hadley, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 5 pages; that affiant is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name, and that each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition and all properties contiguous to the subject property that was owned, purchased or sold by the petitioner within one (1) year preceding the date of the petition; that the consent petition was signed by each said owner; and the signatures are the true and correct signatures of each and all of the parties so described.


NAME

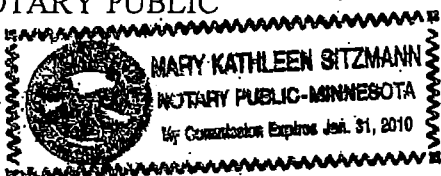
1280 Grand Avenue #105
ADDRESS St. Paul 55105

(651) 699-3003
TELEPHONE NUMBER

Subscribed and sworn to before me this

8th day of October, 2009

M. Kathleen Sitzmann
NOTARY PUBLIC



ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: _____

DATE PETITION RESUBMITTED: 2-11-11

DATE OFFICIALLY RECEIVED: _____

DATE OFFICIALLY RECEIVED: 2-22-11

PARCELS ELIGIBLE: _____

PARCELS ELIGIBLE: 28

PARCELS REQUIRED: _____

PARCELS REQUIRED: 19

PARCELS SIGNED: _____

PARCELS SIGNED: 19

CHECKED BY: Paul Dubruiel

DATE: 2-11-11



MacalesterGroveland

COMMUNITY COUNCIL

320 South Griggs Street
St. Paul, MN 55105
www.macgrove.org

Phone: 651-695-4000
Fax: 651-695-4004
E-mail: mgcc@macgrove.org

November 13, 2009

Paul Dubruiel
City of St. Paul PED Zoning Section
1400 CHA 25 W. 4th Street
St. Paul, MN 55102

Re: File #032823420013

Dear Paul:

The Housing & Land Use Committee of the Macalester-Groveland Community Council held a public meeting on Wednesday, October 28th to discuss the rezoning application for 45 S. Syndicate. The Committee passed the following motion, which was approved by the Macalester-Groveland Community Council Board of Directors on Thursday, November 13th:

The Macalester-Groveland Community Council recommends approval of the zoning change contingent on obtaining the last two signatures on the consent petition and recommends approval of the parking variance contingent on the business use now and in the future not requiring a parking variance of more than six spaces for the property at 45 S. Syndicate.

Thank you for your time. Please contact me with any questions at 651-695-4000.

Sincerely,

Afton Martens
Lead Organizer for Crime Prevention & Outreach

cc: Eugene Sitzmann



45 S. Syndicate (NW corner at Grand & Syndicate)



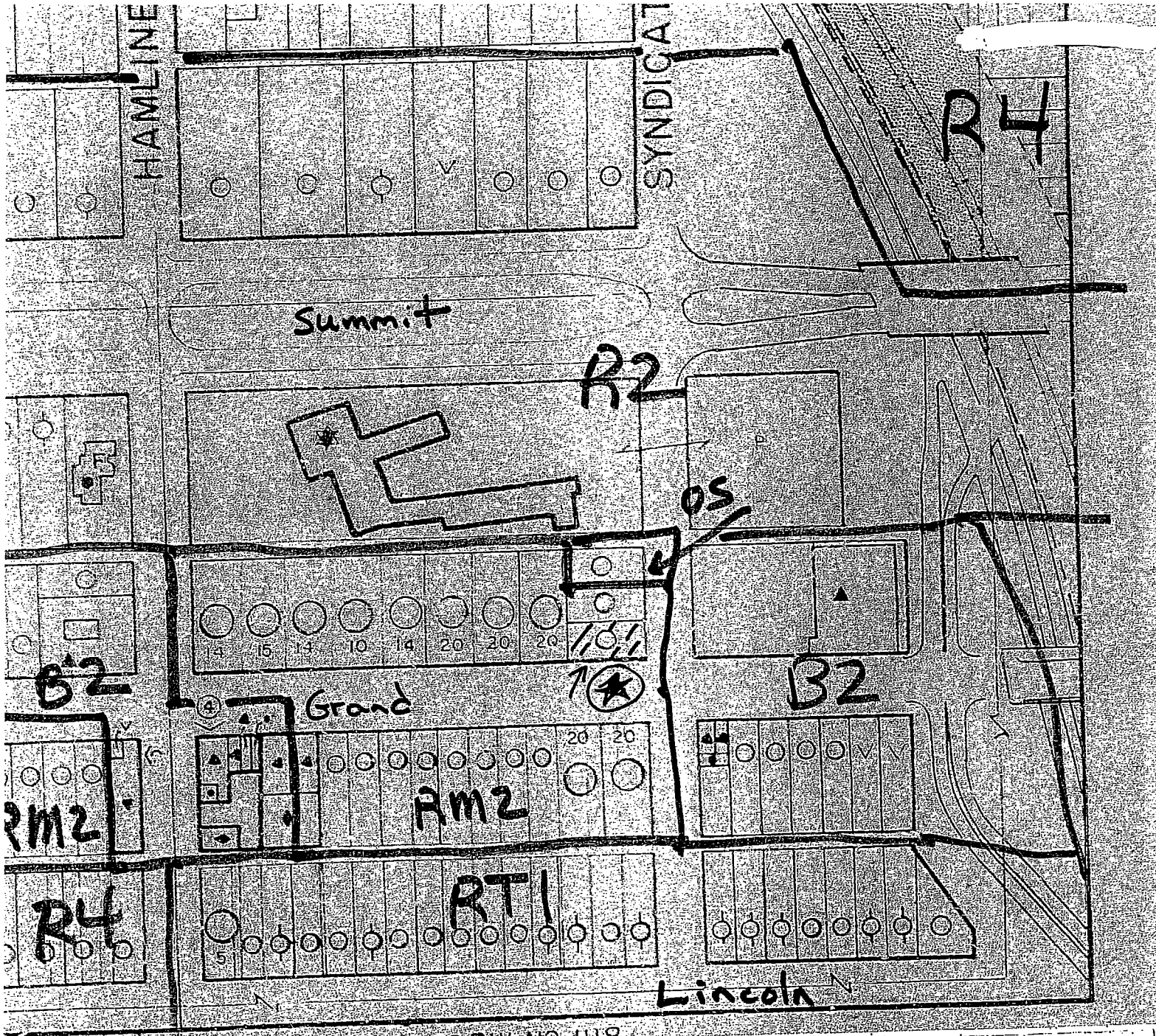
SW Corner at Grand & Syndicate



SE Corner at Grand & Syndicate



NE Corner at Grand & Syndicate



APPLICANT Eugene Sitzmann
 PURPOSE REZ RM2 → TN1
 FILE # 11-102646 DATE 2-11-11
 NG. DIST. 14 Land Use Map # 18
 Zoning Map # 14

LEGEND

zoning district boundary

subject property

one family
 two family
 multiple family

commercial
 industrial
 vacant



ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Robert Casselman **FILE #:** 11-103-938
 2. **APPLICANT:** Robert Casselman **HEARING DATE:** March 24, 2011
 3. **TYPE OF APPLICATION:** Nonconforming Use Permit-Reestablishment
 4. **LOCATION:** 838 Goodrich Ave, between Avon and Victoria
 5. **PIN & LEGAL DESCRIPTION:** 022823430082; Summit Park Addition To St Paul Lot 10 Blk 15
 6. **PLANNING DISTRICT:** 16
 7. **ZONING CODE REFERENCE:** §62.109(d) **PRESENT ZONING:** R4
 8. **STAFF REPORT DATE:** March 15, 2011 **BY:** Kate Reilly
 9. **DATE RECEIVED:** February 25, 2011 **60-DAY DEADLINE FOR ACTION:** April 26, 2011
-

- A. **PURPOSE:** Re-establishment of nonconforming use as a duplex
- B. **PARCEL SIZE:** Lot is 40 ft by 158.5 feet, totaling 6340 sq. ft.
- C. **EXISTING LAND USE:** R-Duplex
- D. **SURROUNDING LAND USE:**
 - North: One- and two-family homes. R4 zoning
 - East: One- and two-family homes. R4 zoning
 - South: One- and two-family homes. R4 zoning
 - West: One and two-family homes. R4 and RT1 zoning
- E. **ZONING CODE CITATION:** §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.
- F. **HISTORY/DISCUSSION:** Ramsey County Assessor records show that this property was constructed as a duplex in 1924 and it has been definitively used as a duplex since 1942.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 16 Council did not comment on this proposal.
- H. **FINDINGS:**
 1. Mr. Casselman purchased the duplex in 2001. It was occupied as a duplex in 2003 and 2004. Mr. Casselman intended to rehabilitate and lease the duplex to his daughter and a second tenant, but circumstances prevented Mr. Casselman from completing the rehab work and prevented his daughter from residing in the property until this year, which is why the structure has been vacant since 2006. At this time Mr. Casselman is seeking to re-establish the non-conforming use in order that his daughter and her family may occupy one of the units. He intends to lease the second unit to a second tenant.
 2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. According to a letter provided the applicant by the architect on the project, the building can not be reasonably or economically be used for a conforming purpose. The building was originally constructed as a duplex and conversion to a single-family home would be difficult, if not impossible, according to the architect.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met. The proposed use is equally appropriate to the district that the previous nonconforming use, as the previous nonconforming use was that of a duplex.

- (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare. The re-establishment of the nonconforming use will put a structure back into service that has been vacant for several years and fits with the development in the immediate neighborhood which is a pattern of one- and two-family dwellings. In addition, a code compliance report has been prepared by DSI and performing this work will protect the public health and safety.
 - (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The proposed use is consistent with existing comprehensive planning documents. The Comprehensive Plan of the City of Saint Paul states in Strategy H1.1 that housing choices should be increased across the city. Providing a duplex increases housing choice. The Summit-Hill Plan Summary, adopted as part of the city's comprehensive plan in 2006 recommends in strategy H8 - Single-family and Multi-family Residences to "maintain the existing residentially zoned area and retain the mix of housing types (single-family, duplex, townhouses, and apartments) in the Summit Hill neighborhood in existing and new housing developments." This maintains the mix of housing types within the district by continuing to provide a duplex. Strategy H10- Housing-related Parking directs residents to "fully utilize existing residential parking and to create new ones when possible," which would be accomplished through the rehabilitation and full utilization of the garage.
 - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on 2/27/2011: 21 parcels eligible; 14 parcels required; 15 parcels signed.
 - (6) *The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit.* This finding is met.
3. The Planning Commission has established guidelines for applications for nonconforming use permits for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
- A. *Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.* This finding is met. The lot size is 6,340 square feet and the front footage is 40 feet.
 - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.* This condition is met. Each unit is 1,652 square feet.
 - C. *Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.* This condition is met. There are two garage spaces and one parking pad.
 - D. *All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)* This condition is met. All remodeling work is in the interior of the structure.
 - E. *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code*

compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution. This condition is met. A code compliance inspection has been conducted and the necessary permits obtained.

- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends approval of the re-establishment of nonconforming use as a duplex subject to the condition that the applicant complies with all the requirements of the code compliance inspection and receives a certificate of occupancy for the building.



NONCONFORMING USE PERMIT APPLICATION
Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning Office User Only	
File #	11-103938
Fee	650.00
Tentative Hearing Date	3-24-11

PD=15
022823430082

APPLICANT

Name	ROBERT CASSELMAN		
Address	794 LINCOLN AVE		
City	ST. PAUL	St.	MN Zip 55105 Daytime Phone 651-882-8824
Name of Owner (if different)			
Contact Person (if different)			Phone

PROPERTY LOCATION

Address/Location	838-840 GOODRICH AVE, ST. PAUL, MN		
Legal Description	LOT 10, BLK 15, SUMMIT PARK ADDITION TO ST. PAUL		
Current Zoning	R-4		
(attach additional sheet if necessary)			

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for:
- ☐ Change from one nonconforming use to another (para. c)
 - ☒ Re-establishment of a nonconforming use vacant for more than one year (para. e)
 - ☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
 - ☐ Enlargement of a nonconforming use (para. d)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

Present/Past Use DUPLEX

Proposed Use SAME

Attach additional sheets if necessary

CK 1078
650.00

Attachments as required ☐ Site Plan ☒ Consent Petition ☒ Affidavit

Applicant's Signature Robert Casselman Date 1/12/2011 City Agent

pd
2-25-11

NONCONFORMING USE PERMIT APPLICATION FOR 838-840 GOODRICH AVE

This is an application for re-establishment of a non-conforming use permit from a vacant structure to a duplex located at 838 and 840 Goodrich Ave in St Paul put forth because the use as a duplex will better the surrounding areas and keeping it as a vacant structure will continue to produce hardship to the neighborhood.

The structure cannot reasonably or economically be used for a conforming purpose such as a single family home because it was built as a duplex and the layout does not easily allow a single family home to be well designed due to the placement of the exits, stair cases and chimneys. Our architect, Norman Wells, has included a letter giving reasons why this would not be economically feasible. Please see attachment.

The proposed use is equally appropriate to the district as the previous non-conforming use because 838 and 840 Goodrich Ave would revert back to a duplex as it originally was built and as it was used until it was given vacant status. The proposed use would add more value to the district as a duplex than the vacant structure as it currently causes the neighborhood undue hardship. This structure is a detriment to the character of the neighborhood.

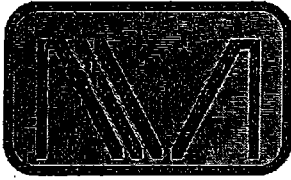
The proposed use will improve the existing character of development in the immediate neighborhood and help the general welfare of the neighborhood. The proposed duplex, 838 and 840 Goodrich will become a habitable structure that is safer than the vacant structure that is currently there. The structure will be brought up to code and will become energy efficient and have more parking with an additional parking pad next to the two car garage. Included in the energy efficiency improvements are: 93% efficient hot water boilers, high efficiency hot water heaters, closed cell foam on all exterior walls, 200 amp wiring, new Energy Star rated kitchen appliances. It will have new Andersen UV filtered windows, solar reflective paint on the exterior walls and trim. The rehabilitated stucco duplex will fit in with the existing character of the neighborhood as there are several duplexes built in this period and of this style in the neighborhood and there is even one next door to the property.

The Comprehensive plan of the city of St Paul section H2 states *"Given the anticipated population growth, the demand for smaller one- and two-person units, a built city, and the need to continue to increase the City's tax base, greater housing density will be the hallmark of the next 20-30 years."* By re-adding this duplex to the area's housing choices, it supports the city's desire to increase housing density. The Summit Hill/District 16 comprehensive plan which is a part of the city of St Paul's comprehensive plan states in section H7 Housing Density states *"Ensure that the impact of any increased density within existing or new housing has minimal adverse impact on existing municipal services including, but not limited to, traffic and parking."* There will be additional off-street parking as the garage will be fully used and the choice of energy efficient materials and appliances assures a lesser impact than other structures. In section H8 Single Family and Multi-Family Residences it states *"Retain the mix of housing types (single-family, duplex, own houses, and apartments) that exists in the summit Hill neighborhood."* Re-establishing the nonconforming duplex status of the structure would add to the current mix of housing types in the area. Section H10 Housing Related Parking states *"Encourage residents to fully utilize existing residential parking and to create new ones when possible."* The garage will be rehabilitated and fully utilized.

The petition with 2/3 of the neighbor's signatures within 100 feet of the property is attached. Every neighbor spoken to about the re-establishment of the duplex status and rehabilitation of the vacant duplex was in favor and supportive of 838 and 840 Goodrich Ave as a nonconforming duplex.

A handwritten signature in cursive script that reads "Robert Casselman". The signature is written in black ink and is positioned above the printed name.

Robert Casselman



Norm Wells Architect PA
623 Seventeenth Avenue NW
New Brighton, Minnesota 55112
Telephone 651/631-8798

February 22, 2011

Robert Casselman
670 Pelham Boulevard
St. Paul, MN 55114

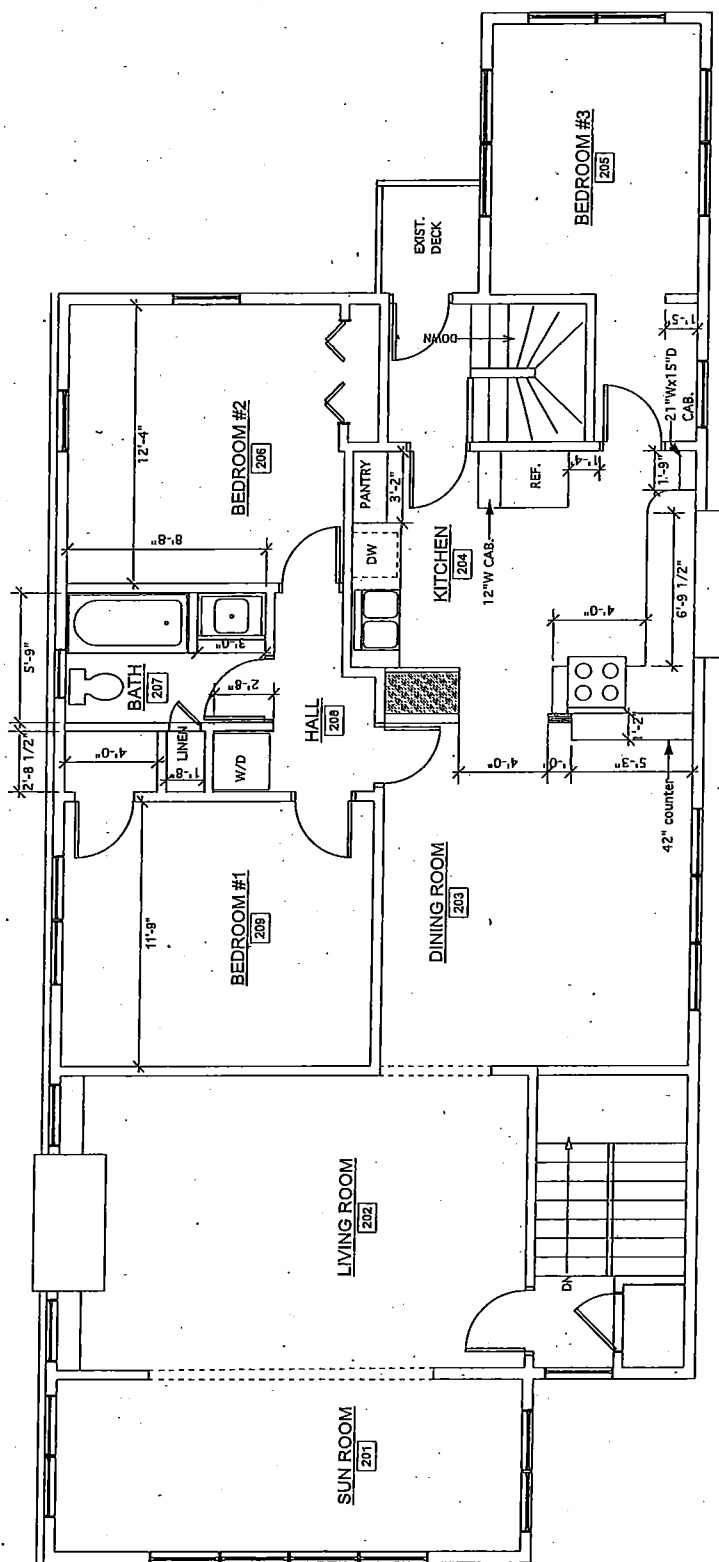
Re: 838 Goodrich Avenue
St. Paul, MN

Dear Bob,

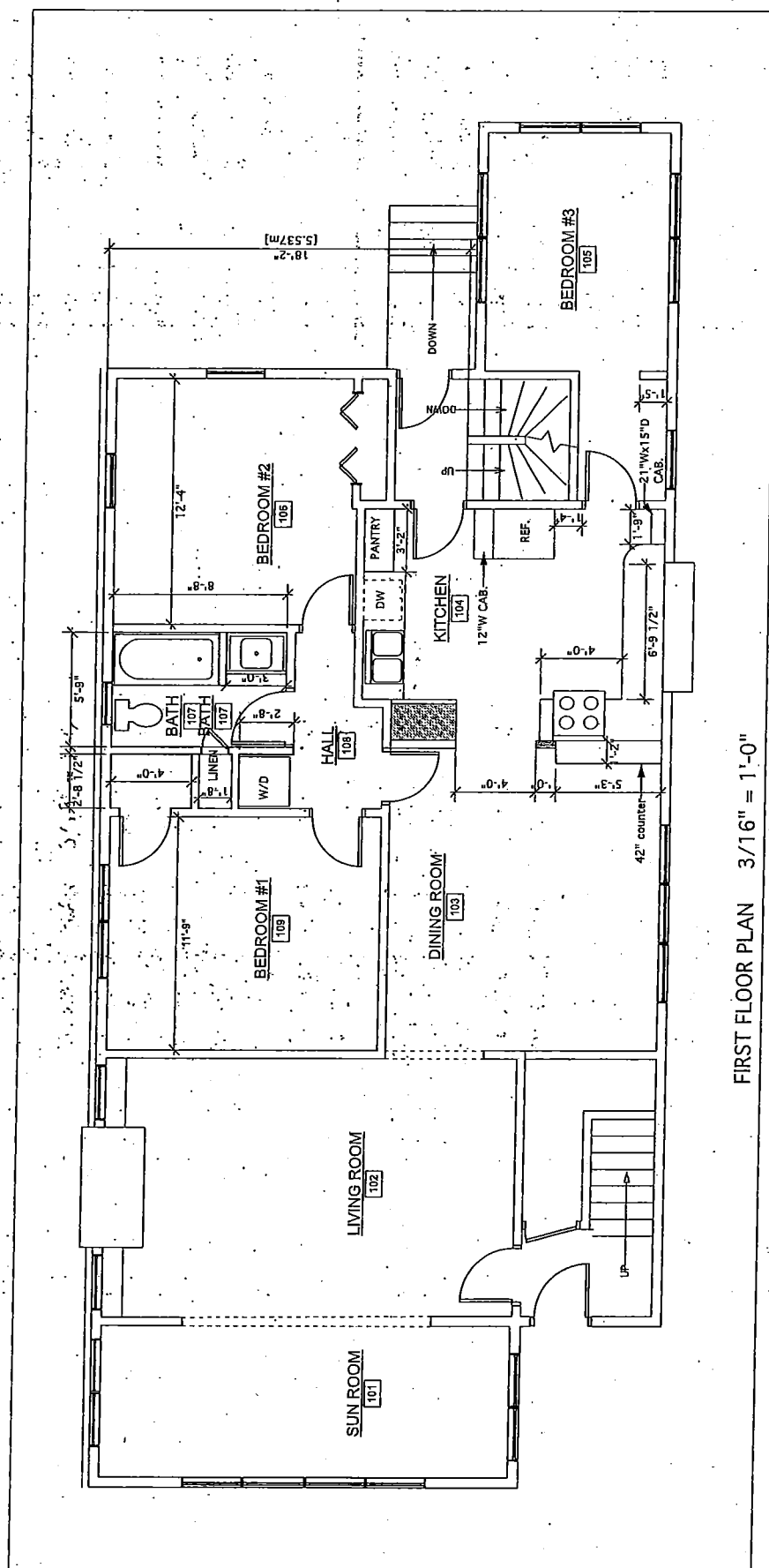
This building was constructed as a residential duplex in 1924 and has been used as such until the past few years. The conversion of this building to a single family residence would be technically infeasible as the structural system would need extensive modification due to the original construction of an upper/lower duplex configuration. The age of the building also makes the conversion to a single family residence difficult, if not impossible, as the building exterior walls appear to be balloon framed which is no longer used as a structural framing system.

Sincerely,

Norm Wells



SECOND FLOOR PLAN 3/16" = 1'-0"



CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of ROBERT CASSELMAN
(name of applicant)

to establish a RE-ESTABLISH A DUPLEX IN AN R-4 ZONE
(proposed use)

located at 838-840 GOODRICH AVE
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

	ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE	
UNIT 1 N	PIN: 02.28.23.43.0089 126 VICTORIA ST S	ROBERT H. HORN	<i>Katherine M. Curran</i>		①
UNIT 2 N	PIN: 02.28.23.43.0090 126 VICTORIA ST S	KATHERINE M. CURRAN	9930 HERON AVE N. WBL	1/30/11	
UNIT 3 N	PIN: 02.28.23.43.0091 126 VICTORIA ST S	MARY C. RYAN			
UNIT 4 N	PIN: 02.28.23.43.0092 126 VICTORIA ST S	MARY METZGER			
UNIT 1 S	PIN: 02.28.23.43.0085 134 VICTORIA ST S	NADYA R NEDELSKY			
UNIT 2-5	PIN: 02.28.23.43.0086 134 VICTORIA ST S	MARTIN SCHMUTTERER	<i>MCC</i>	2/5/11	②
UNIT 3-5	PIN: 02.28.23.43.0087 134 VICTORIA AVE S	JASQUELYN M THOMAS			
UNIT 4-5	PIN: 02.28.23.43.0088 134 VICTORIA AVE	KENNETH ROBERTS			
UNIT 3-5	PIN: 02.28.23.43.0089 134 VICTORIA AVE S	SUSAN BUZENBERG	<i>Susan Buzenberg</i>	2/5/11	③
UNIT 4-5	PIN: 02.28.23.43.0090 134 VICTORIA AVE	WAYNE R MCLAGEN JR			
	PIN: 02.28.23.43.0088 80 ANN HAYNES PARADISE	SYNTHIA MCLAGEN	<i>Cynthia McLagen</i>	2/5/11	④
	PIN: 02.28.23.43.0090 826 GOODRICH	TIMOTHY J. PARADISE	<i>Timothy J. Paradise</i>	2/3/11	⑤
	PIN: 02.28.23.42.0190 833 GOODRICH	BRUCE J. NERLAND	<i>Bruce J. Nerland</i>	2/3/11	⑥
		ANN H. NERLAND			

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

9/08

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ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
PIN: 02.28.23.43.0081 834 GOODRICH	FRANK G. KASPER		
✓ ✓ ✓	LYNNE KASPER	SEE LAST PAGE	1/29/11
PIN: 02.28.23.43.0083 842 GOODRICH	ROBERT M BOWEN	2021 AUTOM PL - ROSEVILLE	2/3/11
✓ ✓ ✓	SHARON R BOWEN	2021 AUTOM PL - ROSEVILLE	
PIN: 02.28.23.43.0084 848 GOODRICH	DIANA M DEAN-TRUSTEE		1-29-11
PIN: 02.28.23.42.0189 851 GOODRICH	LARRY J. PETERSON		1-29-11
✓ ✓ ✓	MARY JUDITH PETERSON		
PIN: 02.28.23.43.0099 831 FAIRMOUNT	RONALD G PARKER		
✓ ✓ ✓	JANET L. HAUCK		
PIN: 02.28.23.43.0098 835 FAIRMOUNT	LORI J. SOMMERFIELD		
PIN: 02.28.23.43.0097 839 FAIRMOUNT AVE	PATRICIA A ZURLO		
PIN: 02.28.23.42.0096 845 FAIRMOUNT	BRIAN D. ALTON		
✓ ✓ ✓	BONNIE J. JOHNSON		

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✓ ✓ ✓	LYNNE KASPER		
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✓ ✓ ✓	SHARON R BOWEN	2021 AUTOM PL - ROSEVILLE	
PIN: 02.28.23.43.0084 848 GOODRICH	DIANA M DEAN-TRUSTEE		
PIN: 02.28.23.42.0189 851 GOODRICH	LARRY J. PETERSON		
✓ ✓ ✓	MARY JUDITH PETERSON		
PIN: 02.28.23.43.0099 831 FAIRMOUNT	RONALD G PARKER	Ronald G. Parker	2/20/2011 (10)
✓ ✓ ✓	JANET L. HOUCK		
PIN: 02.28.23.43.0098 835 FAIRMOUNT	651-290-2923 LORI J. SOMMERFIELD		
PIN: 02.28.23.43.0097 839 FAIRMOUNT AVE	PATRICIA A ZURLO	Patricia A. Zurlo	2/19/2011 (11)
PIN: 02.28.23.43.0096 845 FAIRMOUNT	BRIAN D. ALTON	Brian D. Alton	2/20/11 (12)
✓ ✓ ✓	BONNIE J. JOHNSON	Bonnie J. Alton	2/20/11

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9/08

CITY OF SAINT PAUL

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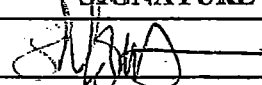
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(proposed use)

located at 838-840 GOODRICH AVE
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
PIN: 02.28.23.43.0095 849 FAIRMOUNT AVE ✓ ✓ ✓	SUSAN SCHLOFF		2/20/11
	EDWARD E. PATTERSON		
PIN: 02.28.23.43.0094 853 FAIRMOUNT AVE ✓ ✓ ✓	THOMAS B. LEE		
	BRODGET A LEE		

(13)

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9/08

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PIN: 02.28.23.43.0095 849 FAIRMOUNT AVE ✓ ✓ ✓	SUSAN SCHLOFF		
	EDWARD E. PATTERSON		
PIN: 02.28.23.43.0094 853 FAIRMOUNT AVE ✓ ✓ ✓	THOMAS B. LEE		
	BRIDGET A LEE		
834 Goodrich	THOMAS KASPER	Lynne H. Venz	1/29/11

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

9/08

14

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

The petitioner, ROBERT CASSELMAN, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

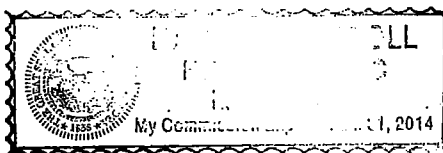
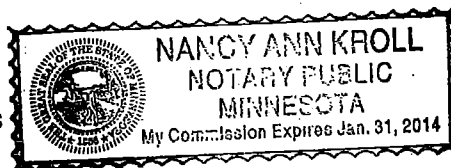
Robert Casselman

ROBERT CASSELMAN
NAME

794 LINCOLN AVE
ADDRESS

612-432-2060
TELEPHONE NUMBER

Subscribed and sworn to before me this
22 day of Feb, 2011.



[Signature]
NOTARY PUBLIC



CITY OF ST. PAUL

OFFICE OF LICENSE, INSPECTIONS AND ENVIRONMENTAL PROTECTION
350 ST. PETER STREET, SUITE 300
ST. PAUL, MINNESOTA 55102-1510

GENERAL BUILDING PERMIT APPLICATION

Visit our Web Site at www.ci.stpaul.mn.us/liep

Section I - INFORMATIONAL (See back of form for additional information)

PROJECT ADDRESS	Number	Street Name	St. Ave. Blvd. Etc.	N S E W	Suite/Apt	Building Name	Date
	838/840	GOODRICH	AVE				4-20-2001
Contractor ROBERT CASSELMAN (Include Contact Person)			Address City State, Zip+4			Phone	
			# 201, 4131 OLD SIBLEY MEM HWY			651-882-8824	
Property Owner ROBERT CASSELMAN (Include Contact Person)			Address City State, Zip+4			Phone	
			794 LINCOLN AVE ST. PAUL, MN			651-222-2940	
Masonry Contractor			Address City, State Zip+4			Phone	
Architect			Address City, State Zip+4			Phone	
New Structure <input type="checkbox"/>	Existing Structure <input checked="" type="checkbox"/>	Commercial <input type="checkbox"/>	Residential Enter Number of Residential Units	Estimated Value of the Total Project			
Addition <input type="checkbox"/>	Remodel/Alter <input checked="" type="checkbox"/>	Repair <input type="checkbox"/>	Estimated Start Date:	Estimated Finish Date:	\$ 7,000.00		

Description of Project KITCHEN REMODEL CAB & COUNTER TOPS WINDOWS - REPLACE WATER SUPPLY LINES	Applicant certifies that all information is correct and that all pertinent state regulations and city ordinances will be complied with in performing the work for which this permit is issued. Robert Casselman Applicant's Signature
---	---

Section II - PLEASE COMPLETE THIS SECTION ONLY FOR NEW STRUCTURE OR ADDITION

Structure Dimensions (In Feet)						Is a Fire Suppression System Available? (i.e. - sprinklers)	
Width	Length	Height	Total Square Feet (include basement)	Basement?	Stories	Yes	No
				Yes No		<input type="checkbox"/>	<input type="checkbox"/>
Lot Dimensions (In Feet)			Set Backs from Property Lines				
Lot Width	Lot Depth	Front	Back	Side 1	Side 2		

Section III - For Office Use Only

Change/Expansion of Use? Yes or No		Occupancy Group		FAX IT?		SUMMARY OF FEES	
Existing Primary Use Duplex		R-3				Building Permit Fee \$ 124.75	
Proposed Primary Use Duplex		Construction Type I-N		Would you like your permit faxed to you?		Plan Check Fee \$ 21.00	
Zoning District: R-4		Plan Number V-01-385		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		State Surcharge \$ 3.50	
PLAN REVIEW REMARKS				If yes, enter your fax #		SAC \$	
						Total Permit Fee \$ 149.25	
S.A.C. Charge / Credit #		State Valuation \$		Reviewed By:		Date:	
		\$ 7000.00		DNG		4-20-01	
Please complete the following information for credit card payment.				Circle the Card Type:		Expiration Date:	
ENTER YOUR ACCOUNT NUMBER IN THE BOXES:				Master Card		Month / Year →	
				Visa			
						Month Year	
Please Sign & Date. Signature required for all charges.							

01-186961

ZONING WORKSHEET

ADDRESS: 838 Goodrich 838-840
 PIN: 02 282343 0082

BUILDING CARD INFORMATION:

CONSTRUCTION DATE: 4.26.1924 PERMIT: 8305 TYPE OF STRUCTURE: 2 story duplex

PERMITS COUNTY ASSESSOR'S RECORDS LICENSE RECORDS CITY DIRECTORY

30116 22828 add to 2 story
 1942 - duplex
 1910 - duplex
 1985 - duplex
 2001 - rehab - complete
 2003 - duplex
 2004 - duplex

LEGAL DESCRIPTION: Summit Park

LOT SIZE:

CROSS STREETS:

ZONE	USE (C/NC)	UNITS PERMITTED	REQUIRED LOT SIZE	LOT SIZE (C/NC)
X	C			C
1922				
1960				
1964 C Res	C			
1975				
R4	NC	ROOMS: UNITS:		

ZONING STATUS FOR duplex COMMERCIAL USE:

PLANNING:

LEGAL - CONFORMING RESIDENTIAL USE:

ZONING FILE

LEGAL - CONFORMING

NO RECORD

LEGAL - CONFORMING USE WITH NON-CONFORMING LOT SIZE
 (for residential)

LEGAL - NON-CONFORMING USE

ILLEGAL

Zach
 3/11



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

December 01, 2010

Robert Casselman
670 Pelham Blvd #201
St Paul MN 55114-1719

Re: 838 Goodrich Ave
File#: 06 077610 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on November 18, 2010.

Please be advised that this report is accurate and correct as of the date December 01, 2010. All deficiencies identified by the City after this date must also be corrected and all codes and ordinances must be complied with. This report is valid for 365 days from December 01, 2010. This report may be used in lieu of a Truth in Housing Report required in St Paul Legislative Code 189. This building must be properly secured and the property maintained at all times.

In order to sell or reoccupy this property the following deficiencies must be corrected:

BUILDING **Inspector: Jim Seeger** **Phone: 651-266-9046**

- Insure basement cellar floor is even, is cleanable, and all holes are filled.
- Tuck Point interior/exterior of foundation as necessary.
- Remove or encapsulate asbestos in an approved manner.
- Install 20 minute fire rated doors, with self closing device, between common areas and individual units. All penetrations required to have property intumescent device or caulk (per current building codes).
- Maintain one hour fire separation between dwelling units and between units and common areas.
- Install handrails (34 inches - 38 inches above each nosing) and guardrails (36 inch minimum) at all stairways, and return hand rail ends into a newel post or wall per attachment.
- Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
- Provide complete storms and screens, in good repair for all door and window openings.
- Provide functional hardware at all doors and windows
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair or replace damaged doors and frames as necessary, including storm doors.

BUILDING **Inspector: Jim Seeger** **Phone: 651-266-9046**

- Weather seal exterior doors, threshold and weather-stripping.
- Install floor covering in bathroom and kitchen that is impervious to water.
- Repair walls, ceiling and floors throughout, as necessary.
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures (EPA, MPCA and St. Paul Legislative Code, Chapter 34 for additional information) if lead base paint is present.
- Where wall and ceiling covering is removed install full thickness or code-specified insulation.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Co Conservation Code and the MN Dept. of Labor and Industry.
- Habitable rooms with new usage and replaced windows shall have glass area equal to 8% of floor area, one-half of which shall operate.
- Provide major clean-up of premises.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around house to direct water away from foundation of garage.
- Install rain leaders to direct drainage away from foundation.
- Provide general rehabilitation of garage.
- Install address numbers visible from street and on the alley side of garage.
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Install one hour rated assembly under basement stairs at rear stairway in basement.
- Install tempered glass in front landing to second floor.
- Remove stump at front of garage.
- Call for framing inspection before covering walls and before insulation inspection.
- A building permit is required to correct the above deficiencies.

ELECTRICAL **Inspector: Cari Williamette** **Phone: 651-266-9034**

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service
- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Provide a complete circuit directory at service panel indicating location and use of all circuits
- verify/install a separate 20 ampere laundry circuit and a separate 20 ampere kitchen appliance circuit
- Install hard-wired, battery backup smoke detector per bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Check building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panel board to the second unit

December 1, 2010
838 Goodrich Ave / Page 3

ELECTRICAL **Inspector: Cari Williamette** **Phone: 651-266-9034**

- All new wiring must be done to current code with electrical permit and appropriate inspections.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING **Inspector: Denny Watters** **Phone: 651-266-9051**

- Basement - Gas Piping - BACK: dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- Basement - Gas Piping - BACK: run dryer vent to code (IFGC 613.1 - IMC 604.1)
- Basement - Laundry Tub - provide a vacuum breaker for the spout (MPC 2000 B)
- Basement - Laundry Tub - unvented (MPC 0200 E)
- Basement - Soil and Waste Piping - BACK: All waste and vent removed
- Basement - Soil and Waste Piping - BACK: no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - BACK: unplugged or open piping; back pitched piping (MPC 1000)
- Basement - Toilet Facilities - incorrectly vented (MPC 2500)
- Basement - Water Heater - BACK: No gas shut off or gas piping incorrect (IFGC 402.1)
- Basement - Water Heater - BACK: Vent must be in chimney liner (IFGC 501.12)
- Basement - Water Heater - BACK: not fired or in service (MPC 2180)
- Basement - Water Heater - Front: No gas shut off or gas piping incorrect (IFGC 402.1)
- Basement - Water Heater - Front: Vent must be in chimney liner (IFGC 501.12)
- Basement - Water Heater - Front: Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heater - Front: not fired or in service (MPC 2180)
- Basement - Water Meter - BACK: raise meter to a minimum 12 inches above floor (MPC 2280)
- Basement - Water Piping - BACK: boiler fill water line requires backflow assembly or device (MPC 2100)
- Basement - Water Piping - Front: boiler fill water line requires backflow assembly or device (MPC 2100)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- First Floor - Laundry Tub - Replace waste vent and fixture
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- Second Floor - Laundry Tub - Replace all waste vent and fixtures
- Obtain plumbing permits prior to commencement of work.

HEATING

Inspector: Maureen Hanson

Phone: 651-266-9043

- Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee.
- Clean and Orsat test both boiler burners. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating units are safe.
- Verify that the metal chimney liner is adequately sized for the connected load.
- Connect boilers and water heaters venting into chimney liner.
- Provide adequate clearance from flue vent pipe on boiler to combustible materials or provide approved shielding according to code.
- Vent clothes dryer to code.
- Provide adequate combustion air and support duct to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines.
- Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
- Provide heat in every habitable room and bathrooms.
- Attach metal tag to expansion tank valve stating that this valve must be OPEN at all times except when draining the expansion tank.
- Support supply and return piping for heating system according to code.
- Conduct witnessed pressure test on hot water heating system and check for leaks.
- Install boiler pressure relief valve and pipe discharge to within eighteen inches of the floor.
- Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
- Repair or replace radiator valves as needed.
- Submit documentation from a licensed contractor that the wood burning fireplaces are clean and safe for use or permanently seal openings.
- Run condensate drain from A/C unit coils in attic to an approved location and secure as needed.
- Seal openings to incinerator in basement.
- There was no access to the attic at the time of inspection. All the equipment must be brought up to code and access provided for inspection.
- Abate or encapsulate asbestos pipe insulation. Work must be performed by a licensed abatement contractor.
- Gas and hydronic mechanical permits are required for the above work.

ZONING

1. This property is in a(n) R4 zoning district.
2. This property was inspected as a Duplex.

December 1, 2010
838 Goodrich Ave
Page 5

This property was inspected as a Duplex which is not permitted in this zoning district; this property may be a non-conforming use and will require zoning approval before a sale can be approved, any permits may be issued or any work on the property is started.

Notes:

- See attachment for permit requirements and appeals procedure.
- Provide plans and specifications for any portion of the building that is to be rebuilt.
- Most of the roof covering could not be inspected from grade. Recommend this be done before rehabilitation is attempted.
- Roof, sidewalks, etc. snow covered and could not be inspected. All must meet appropriate codes when completed.
- There was considerable storage/clutter within property at the time of the inspection. Property is to meet appropriate Codes when complete.
- Interior of garage not available for inspection. Repair per applicable codes.

This is a registered vacant building. In order to sell or reoccupy this building, all deficiencies listed on this code compliance report must be corrected within six (6) months of the date of this report. One (1) six-month time extension may be requested by the owner and will be considered if it can be shown that the code compliance work is proceeding and is more than fifty (50) percent complete in accordance with Legislative Code Section 33.03(f).

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this notice when you appeal, and pay a filing fee.)

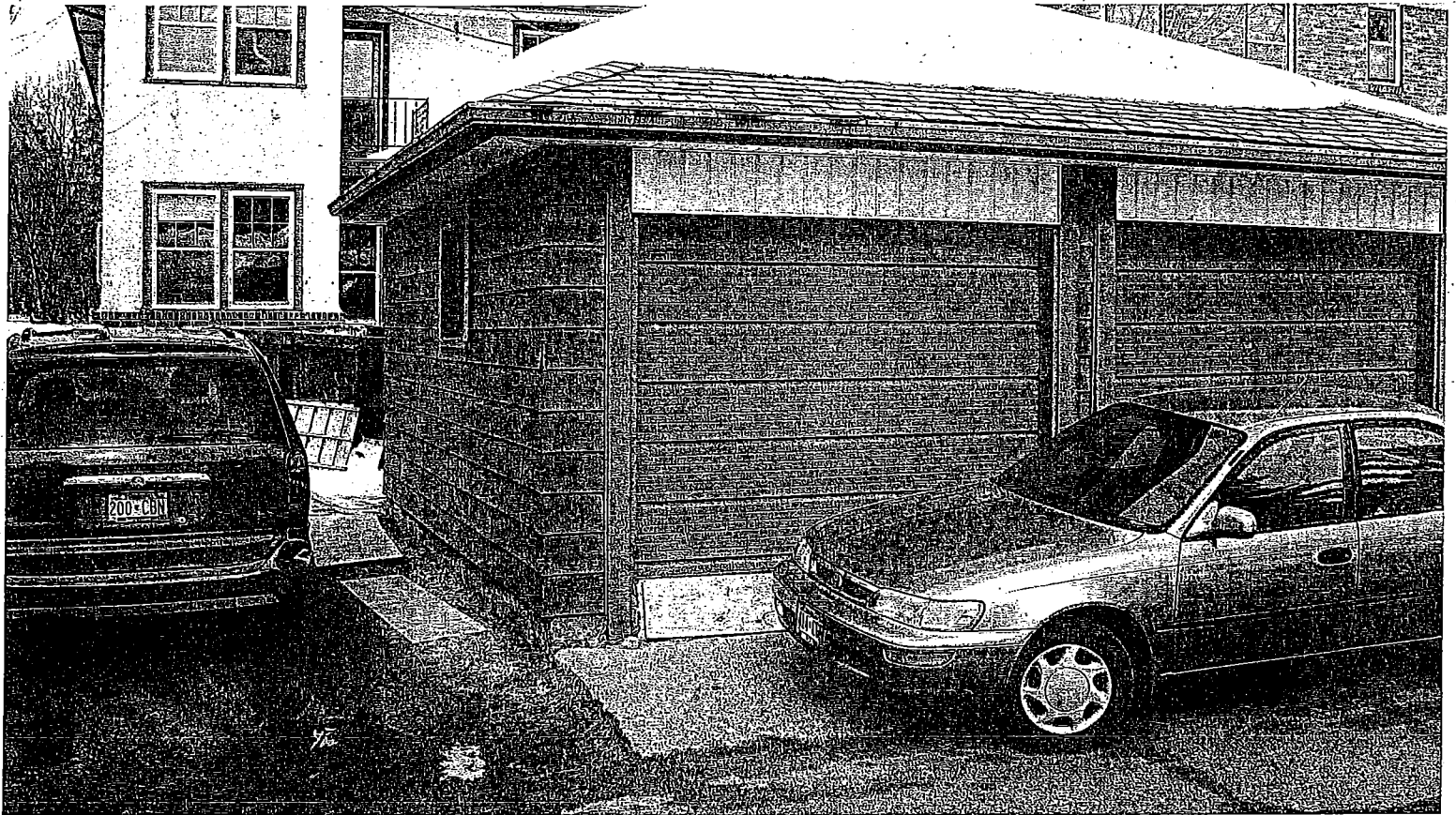
If you have any questions regarding this inspection report, please contact **Jim Seeger** between 7:30 - 9:00 AM at **651-266-9046** or leave a voice mail message.

Sincerely,

James L. Seeger
Code Compliance Officer
Department of Safety and Inspections
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul MN 55101

Phone: 651-266-9046
Email: james.seeger@ci.stpaul.mn.us

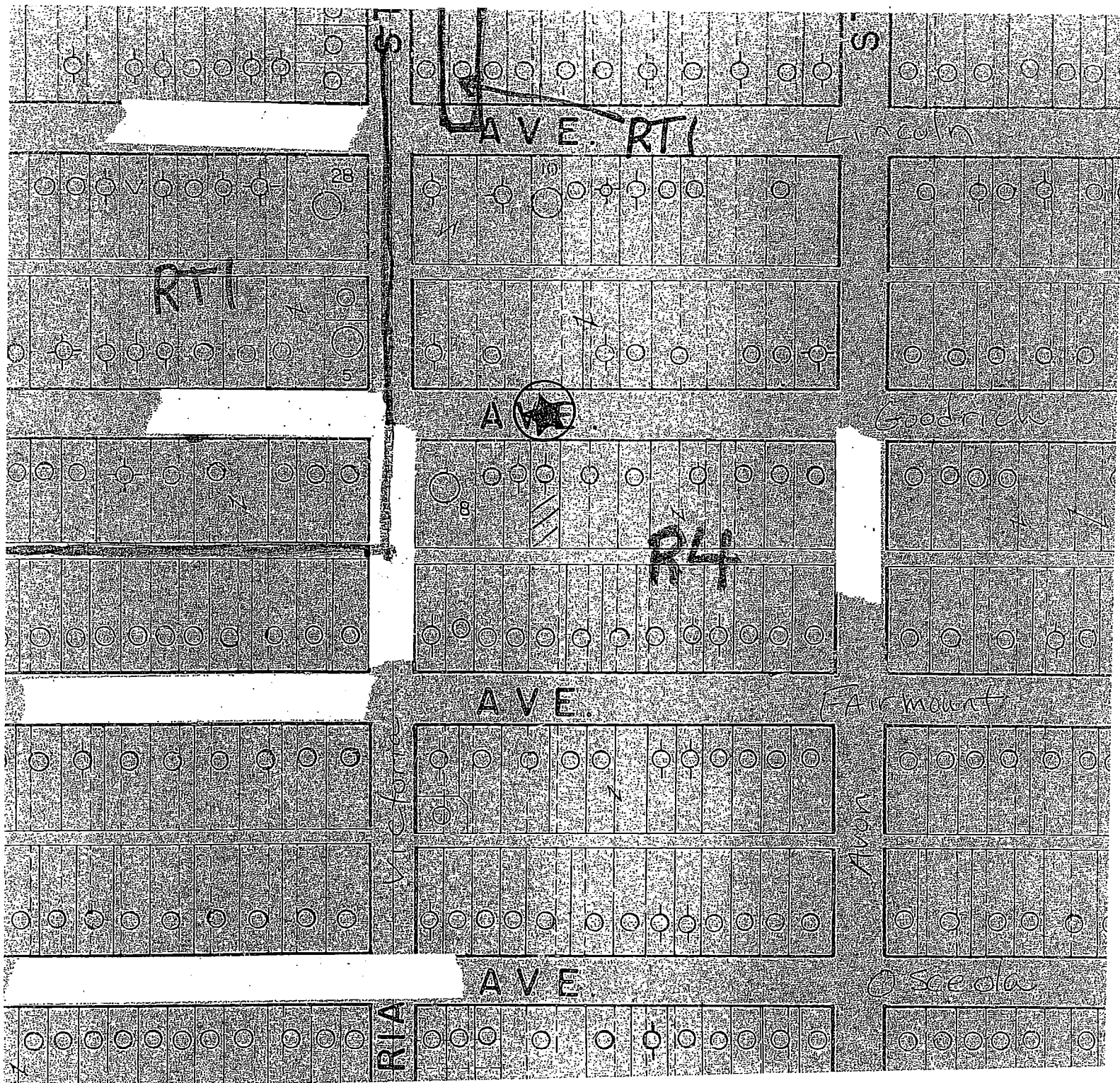
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Attachments



838 Goodrich parking (3 spaces)

838 Goodrich front





APPLICANT Robert Casselman
 PURPOSE REEST + NCUP
 FILE # 11-103938 DATE 2-28-11
 PLNG. DIST. 16 Land Use Map # 27
 Zoning Map # 21

LEGEND

zoning district boundary
 subject property

one family
 two family
 multiple family

commercial
 industrial
 vacant

